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Security Council

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# Identical letters dated 5 June 2018 from the Permanent Representative of Bahrain to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government, I am writing to you with regard to the identical letters dated 9 May and 14 May 2018 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General and the President of the Security Council (S/2018/441 and S/2018/461, respectively). Those letters contain erroneous allegations concerning the incident of 22 April 2018 in which Qatari fighter aircraft approached a United Arab Emirates civilian aircraft, and unfounded accusations that Bahrain is abusing its role as administrator of the Bahrain flight information region to achieve political objectives at the expense of professionalism. I should like to stress that the letters from the Representative of Qatar are inconsistent with reality and the facts, and with documents that are supported by audio and video recordings from the air traffic control services of Bahrain. Those documents and recordings prove beyond any doubt that Bahrain air traffic control responded to the incident with the utmost professionalism and in accordance with the international standards that are set out in the annexes to the 1944 Chicago Convention on International Civil Aviation. Accordingly, Bahrain strongly rejects the desperate claims of Qatar and its continued attempts to call into question the outstanding ability of Bahrain to administer the Bahrain flight information region.

In response to the above-mentioned letters, I should like to state the following:

- Bahrain has been providing air traffic control services for more than half a century. Its record in that regard is well-known and has been praised by international organizations and airspace users. Despite the crises that have occurred in the region, Bahrain has never allowed political considerations to interfere with the technical function of providing air traffic control services. Indeed, professionalism has been the fundamental criterion that governs operations in the Bahrain flight information region. In order to prove the falsehood of those allegations, I am transmitting herewith a transcript of the conversation that took place between Civil Aviation Affairs of Bahrain and Qatar air traffic control, along with aerial charts produced by Civil Aviation Affairs (see annex), concerning the incident in which Qatari fighter aircraft came dangerously close to a United Arab Emirates aircraft (flight EY322). Those documents prove that the Bahrain flight information centre and the air traffic control authorities of Bahrain had informed Qatar air traffic control that Qatari fighter aircraft were approaching flight EY322 and requested that the fighter aircraft should change either their course or altitude, in order to avoid a serious incident. When the Qatari authorities failed to respond to that request,

the Bahraini air traffic controllers once again informed the Qatari authorities that the Qatari fighter aircraft must change their course. The Qatari authorities responded that, as a civil aviation authority, they had no control over Qatari fighter aircraft. Such a statement confirms that the Qatari authorities are deliberately deploying military aircraft against civilian aircraft, continuing to target United Arab Emirates aircraft, endangering the safety of civil aviation and passengers, and attempting to make light of the ability of Bahrain to manage the Bahrain flight information region in a professional manner. Moreover, as called for by the exigencies of the situation and the professional and technical responsibilities of the air traffic control centre, Bahraini air traffic controllers passed information to the captain of the United Arab Emirates aircraft and alerted him that Qatari fighter aircraft were approaching. The actions of the air traffic controllers were in line with internationally recognized procedures and were taken in order to avoid an accident and ensure the safety of aviation and passengers. Bahrain presented all information available on the above-mentioned incident, as well as others, to the Council of the International Civil Aviation Organization (ICAO) at its 217th meeting, which took place on 17 May 2018.

- The Permanent Representative of Qatar has asserted that her country adheres to international law. However, that assertion is inconsistent with the above-mentioned interceptions, which occurred without justification and any consideration for the safety of civil aircraft, and in violation of the 1944 Chicago Convention and the annexes thereto concerning airspace located above international waters, over which no State exercises national sovereignty. The air traffic control services provider in Bahrain has been carrying out its duties as established by international law, and Qatar is attempting to distort the facts by making erroneous claims against it and accusing it of being unprofessional.

- Bahrain adheres to the air navigation services agreement concluded with Qatar and provides aviation services to Qatari aircraft overflying Qatari territory and territorial waters, as well as those flying through airspace above international waters, which is an integral part of the Bahrain flight information region. It provides those services, without distinction or discrimination, not only to aircraft that are registered in Qatar, but also to all other aircraft, and does so in a conscientious and professional manner and in accordance with the standards set out in the annexes to the Convention on International Civil Aviation.

- Qatar claims that Bahrain is biased towards the United Arab Emirates in respect of the serious incidents involving Qatari fighter aircraft. That claim is surprising and demonstrates a lack of understanding of the laws and regulations governing international aviation. Under those laws and regulations, Bahrain must carry out its duties when such serious incidents occur, and one of those duties is to notify ICAO and the State in which the aircraft is registered, in order to safeguard international aviation.

I therefore reaffirm that, throughout its long history of providing aviation services, Bahrain has adhered and continues to adhere meticulously to international laws and regulations. The accusations made by Qatar are a desperate attempt to circumvent established facts that have been documented and presented to ICAO. I should also like to reaffirm that Bahrain continues to provide aviation services in the Bahrain flight information region to the high professional standards for which it is known, as attested to by all the international airlines that fly through the Bahrain flight information region. Qatar must be compelled to immediately stop deploying military aircraft against civilian aircraft, a practice that puts the safety of civil aviation and passengers in grave danger, constitutes a flagrant violation of the principle of good-neighbourliness and threatens regional peace and security. Moreover, Qatar

must comply with international laws and regulations that are aimed at ensuring the safety and smooth operation of international aviation.

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Jamal Fares **Alrowaiei**
Ambassador
Permanent Representative

# Annex to the identical letters dated 5 June 2018 from the Permanent Representative of Bahrain to the United Nations addressed to the Secretary-General and the President of the Security Council

[illegible] LAST PLANNER [illegible]

| Agency | Text |
|---|---|
| DOHA | Doha |
| BAHRAIN | Doha over BAYAN squak two three four zero level two five two |
| DOHA | That's TIGER zero one flight |
| BAHRAIN | Python |
| DOHA | Tiger zero one flight scrambling |
| BAHRAIN | Okay what is his destination or is he just |
| DOHA | They are going out probably looking at that situation [illegible] |
| BAHRAIN | Unidentified two zero one one what about him |
| DOHA | Yeah tiger zero one is on flight to north east he said sixty miles from Doha which is just north of [illegible] |
| BAHRAIN | Okay but watch out Etihad eight eight Xxxxxxxx [illegible] |
| DOHA | Eight zero one one |
| BAHRAIN | Try to climb that tiger to flight level two six zero or [illegible] |
| DOHA | Will one seven six seven |
| BAHRAIN | Do squawk three one zero four just north squawk three one zero four |
| DOHA | Oh I see him there okay |
| BAHRAIN | Thank you |

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**General Assembly**
**Tenth emergency special session**
Agenda item 5
**Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory**

**Security Council**
**Seventy-third year**

## Identical letters dated 5 June 2018 from the Permanent Observer of the State of Palestine to the United Nations addressed to the Secretary-General, the President of the General Assembly and the President of the Security Council

On this sombre fifty-first anniversary of Israel's occupation of Palestinian and Arab territories in 1967, I am compelled to write to you once again to draw the international community's attention to the violent crimes and human rights violations that continue to be endured by the Palestinian people as a result of this illegal and belligerent Israeli military occupation.

It is astounding and deeply tragic that — despite the passage of more than a half-century of Israel's occupation and the passage of 70 years of the dispossession, displacement and oppression of the Palestinian people in an ongoing and cruel Nakbah — not only has the international community failed to mobilize to redress this unlawful situation, from its root causes to the crises that we witness today, but it has also allowed the situation to further deteriorate, with regression of both the conditions on the ground and the prospects for achieving a just and peaceful solution.

As the suffering of our people has intensified in recent weeks and months, their faith in the international community and international law to protect them and preserve their rights from Israel's relentless onslaught has been even more severely diminished. Yet again, despite their appeals and hopes, the Security Council failed to act to address their worsening plight, particularly in the Gaza Strip, owing to the veto cast by the United States on the draft resolution that was presented by Kuwait in its capacity as the Arab representative on the Council.

The United States veto obstructed the efforts by conscientious members of the Council to uphold their duties under the Charter of the United Nations with action aimed at addressing the current crisis and ensuring the safety, protection and well-being of the Palestinian civilian population in accordance with international law and the relevant United Nations resolutions. As many have cautioned, rather than contributing to the protection of civilians, the outcome of the vote will undoubtedly further foster Israel's impunity and belief that it is above the law, emboldening its illegal and brutal behaviour.

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This was painfully borne out on the day of the vote in the Security Council, on 1 June, as Israel, the occupying Power, continued its vicious attacks against unarmed Palestinian civilians participating in the "Great March of Return" to protest against the systematic violation of their human rights, to demand an end to Israeli occupation and blockade and to call for independence, freedom and the return to their ancestral lands. The total number of Palestinians killed since this protest began on 30 March has reached 119, including 14 children.

For the tenth week in a row, the Israeli military deliberately unleashed force against defenceless civilians. On 1 June, this resulted in the killing in cold blood of a young woman, Razan Ashraf al-Najjar, age 21, who had been volunteering as a medic to treat wounded civilian protesters during the weeks of the Great March of Return demonstrations in the Gaza Strip. An Israeli sniper shot and killed Razan as she and other first responders walked towards the boundary fence with their arms visibly raised on their way to treat and evacuate injured protesters.

She was shot in the chest despite the fact that she was wearing a white vest with the red emblem of the Palestinian Medical Relief Society clearly marking her as medical personnel. Razan's reputation was that of an "angel of mercy", owing to her dedication to saving lives, yet her life was ended by this criminal occupation.

It is inexcusable that such brutality, equivalent, in every meaning of the word, to terrorism, should continue to take place in full view of the international community with total impunity. That an occupying Power should feel shielded from any accountability or consequence in a situation where it is clearly and deliberately massacring innocent civilians, children, women and men, violating the most basic principles of international law and human morality, threatens to destroy the credibility of the international system, the very existence of which emanated from a desire to stop mass atrocity crimes and maintain international peace and security.

As stated by the United Nations Coordinator for Humanitarian and Development Activities in the Occupied Palestinian Territory, Jamie McGoldrick, "the killing of a clearly-identified medical staffer by security forces during a demonstration is particularly reprehensible" and "it is difficult to see how it squares with Israel's obligation as occupying power to ensure the welfare of the population of Gaza". The head of the World Health Organization office in the Occupied Palestinian Territory, Dr. Gerald Rockenschaub, highlighted: "Such attacks on health care must not happen and we need to enhance our efforts to ensure the protection of our frontline health workers. There are clear obligations to safeguard healthcare under international law and these must be respected."

This latest war crime follows a series of attacks by Israeli occupation forces targeting health-care personnel and equipment. Between 30 March and 27 May, 2 health workers were killed and 245 injured by Israeli attacks, and 40 ambulances were damaged.

On 1 June, Israeli forces also injured 100 civilians, including 30 by live ammunition, bringing the total number of Palestinian civilians wounded and injured throughout the Occupied Palestinian Territory to more than 13,000, including women and children, since the protests began.

This chronic and massive pressure on Gaza's health system, which has been weakened and made extremely vulnerable by more than a decade of Israeli blockade, has led the International Committee of the Red Cross (ICRC) to dispatch two teams of conflict and trauma surgeons and medical supplies to Gaza to deal with the health crisis, starting as a priority with the treatment of about 1,350 gunshot victims in need of several operations each.

As described by the ICRC director, Robert Mardini, "imagine, 1,350 people with complex cases who will need 3 to 5 operations each, a total of 4,000 surgeries, half of which will be carried out by ICRC teams. I think such a caseload would overwhelm any health system in the world, including in Geneva". Mr. Mardini further described Gaza as a "sinking ship" that is "suffocating" and experiencing a "health crisis of unprecedented magnitude".

We recognize and commend ICRC, along with Médecins sans frontières and the many other humanitarian organizations that are working alongside our health-care workers and the United Nations, particularly the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), to provide medical care to so many Palestinians at this time of great need. We appeal to all States to continue their vital humanitarian assistance to the Palestinian people, especially during this medical crisis in Gaza with the health sector at the brink of collapse and in the light of the deepening humanitarian crisis, and urge in particular an increase in support to UNRWA so that it can continue uninterrupted its indispensable assistance, including emergency services, to Palestine refugees.

The international community must recognize this disastrous situation for what it is. This is a man-made crisis that will only continue to worsen if immediate measures are not taken to reign in Israel, the occupying Power, and bring a halt to its unlawful actions. It is unacceptable that, despite all that has come to pass and despite the countless calls for the protection of the Palestinian people by States and humanitarian and human rights organizations worldwide, one Security Council member continues to justify the lawlessness and cruelty of Israel's military occupation and, alone, to absolve Israel of its crimes. The veto cast last Friday by the United States once again provided Israel with cover to pursue its assault on the Palestinian people and on international law. Moreover, it dealt yet another blow to the credibility and integrity of the Council and its capacity to uphold its mandate to ensure international peace and security.

We thus appeal again to the international community to act quickly and responsibly to prevent further assaults by Israel, the occupying Power, against Palestinian civilians. We call upon the international community to publicly condemn Israel's killing of Palestinian civilians, including Razan al-Najjar, the most recent victim of the Israeli onslaught, and also to condemn all of its previous deliberate killings and maiming of health-care personnel, as well as journalists.

We further urge public calls to demand that Israel be held accountable for its crimes under international law. Palestinians, like all other human beings, deserve the attention and action of the international community and must be afforded the protections of international law and not be excluded from them. The message should not be sent that their lives are dispensable, not worth the time of the international community, not worth protecting.

Despite the obstruction in the Security Council, we continue to reiterate our calls, and will persist in our efforts, for the protection of the Palestinian people, in accordance with international humanitarian and human rights law and the many relevant resolutions aimed at protecting and ensuring the safety and well-being of a defenceless civilian population being held captive under a more than half-century occupation and more than 11-year blockade. This must be just the start of efforts at the United Nations to bring an end to the illegal occupation of the Occupied Palestinian Territory, including East Jerusalem, to the illegal blockade of Gaza and to the decades of dispossession of Palestine refugees, all of which constitute the root causes of the ongoing brutality witnessed since 30 March.

The present letter is in follow-up to our 638 previous letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, which

constitutes the territory of the State of Palestine. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 29 May 2018 (A/ES-10/784-S/2018/510), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations being committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators brought to justice.

I should be grateful if you would arrange to have the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of the State of Palestine
to the United Nations